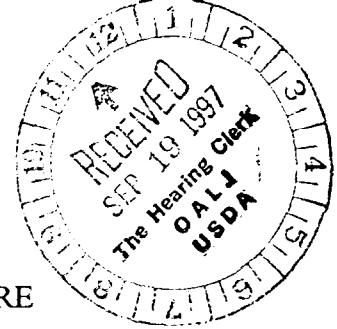


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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	P. & S. Docket No. D- 97 - 0027
Thanh Cong Tran dba)	
Brookshire Packing Company)	
)	
Respondent)	Decision

This proceeding was instituted under the Packers and Stockyards Act (7 U.S.C. § 181 et seq.), by a Complaint and Notice of Hearing filed by the Acting Deputy Administrator, Packers and Stockyards Programs, Grain Inspection, Packers and Stockyards Administration, United States Department of Agriculture, alleging that the respondent wilfully violated the Act and the regulations promulgated thereunder (9 C.F.R. § 201.1 et seq.). This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

The respondent admits the jurisdictional allegations in paragraph I of the Complaint and Notice of Hearing and specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, waives oral hearing and further procedure, and consents and agrees, for the purpose of settling this proceeding and for such purpose only, to the entry of this decision.

The complainant agrees to the entry of this decision.

copy mailed to field 9/27/97

Findings of Fact

1. Thanh Cong Tran, doing business as Brookshire Packing Company, hereinafter referred to as the respondent, is an individual whose business mailing address is 8502 San Felipe, Houston, TX 77024.

2. Respondent is, and at all times material herein was:

(a) Engaged in the business of purchasing livestock in commerce for purpose of slaughter; and

(b) A packer within the meaning of that term as defined in the Act and subject to the provisions of the Act.

Conclusions

The respondent having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

Order

Respondent Thanh Cong Tran, his agents and employees, successors and assigns, directly or indirectly through any corporate or other device, in connection with his operations subject to the Packers and Stockyards Act, shall cease and desist from engaging in business in any capacity for which bonding is required under the Packers and Stockyards Act, as amended and supplemented, and the regulations, without filing and maintaining an adequate bond or its equivalent, as required by the Act and the regulations.

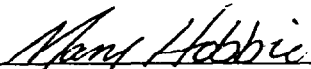
In accordance with section 203(b) of the Act (7 U.S.C. § 193(b)), respondent is assessed a civil penalty in the amount of One Thousand dollars (\$1,000).

This order shall have the same force and effect as if entered after full hearing and shall be effective on the first day after service of this decision on the respondent.

Copies of this decision shall be served upon the parties.

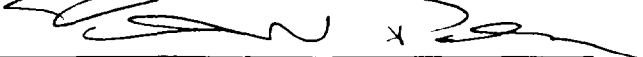


THANH CONG TRAN
Respondent



MARY HOBBIE
Attorney for Complainant

Issued this 19th day of September 1997



Administrative Law Judge